

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DONNA POIMBOEUF, ROBERT
POIMBOEUF, and D&G
HOLDINGS, LLC,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

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No. 2:18-CV-00008-JRG-RSP

ORDER

The Court referred the above entitled and numbered civil action to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report and Recommendation (Dkt. No. 9) by Magistrate Judge Payne, which recommends that the United States' Motion to Dismiss or Transfer (Dkt. No. 5) be denied. Neither party has objected to the Recommendation.

The Court has considered the Report and Recommendation and agrees with Judge Payne's conclusions. Accordingly, the Court **ADOPTS** Magistrate Judge Payne's Report and Recommendation (Dkt. No. 9) and therefore **DENIES** the United States' Motion to Dismiss or Transfer (Dkt. No. 5).

So ORDERED and SIGNED this 19th day of April, 2018.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE